

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-24798 - APPLICANT/OWNER: GSJV, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for an Hotel Lounge Bar use, including parking requirements.
2. Conformance to the conditions for Site Development Plan Review (SDR-24794) if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Hotel Lounge Bar at the northwest corner of Ogden Avenue and Las Vegas Boulevard. A companion Site Development Plan Review (SDR-24794) for a single story Hotel and Hotel Lounge Bar with Waivers of Downtown Centennial Plan Streetscape and Build-To-Line will be heard with this item. The proposed development is compatible with adjacent development and will assist in achieving the intent of the Downtown Centennial Plan Las Vegas Boulevard District. Staff is recommending approval of both of these items.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|--|
| 12/16/64 | The City Council approved a Rezoning (Z-0100-64) to C-2 (General Commercial) on this property as part of a larger request. |
| 11/08/07 | The Planning Commission recommended approval of companion item SDR-24794 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9/jm). |
| <i>Related Building Permits/Business Licenses</i> | |
| There are no building permits or business licenses that pertain to this site. | |
| <i>Pre-Application Meeting</i> | |
| 09/17/07 | A pre-application meeting was held with the applicant. The applicant proposes to build a single story hotel and hotel lounge bar on the property. The applicant was informed that the property was in the Downtown Centennial Plan and was exempt from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The applicant was informed that this proposal would require a site development plan review and a special use permit. The submittal requirements were then discussed. |
| 10/11/07 | A second pre-application meeting was held with the applicant. The meeting was held to discuss Las Vegas Boulevard right-of-way dedication, streetscape standards and Ogden Avenue. |
| <i>Field Check</i> | |
| 10/0/07 | A field check was made on site. The site is currently utilized as parking for the Gold Spike Casino. |

| <i>Details of Application Request</i> | |
|--|------|
| <i>Site Area</i> | |
| Gross Acres | 0.64 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|-------------------|------------------|--------------------------|
| Subject Property | Undeveloped | C (Commercial) | C-2 (General Commercial) |
| North | Hotel | C (Commercial) | C-2 (General Commercial) |
| South | Shopping Plaza | C (Commercial) | C-2 (General Commercial) |
| East | Undeveloped | C (Commercial) | C-2 (General Commercial) |
| West | Hotel Casino | C (Commercial) | C-2 (General Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | | |
| Downtown Centennial Plan (Las Vegas) | | X | N* |
| Redevelopment Plan Area | X | | Y |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | | |
| Downtown Overlay District | X | | Y |
| A-O Airport Overlay District (200 Feet) | X | | Y |
| Downtown Casino Overlay District | X | | Y |
| Las Vegas Boulevard Scenic Byway Overlay District | X | | Y |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

**A Waiver of Downtown Centennial Streetscape and Build-to-line Standards has been requested by the applicant.*

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

| <i>Parking Requirement - Downtown</i> | | | | | | | |
|--|---|--|-----------------------|------------------------|-----------------------|--------------------------|----|
| <i>Use</i> | <i>Gross Floor Area or Number of Units</i> | <i>Base Parking Requirement</i> | | <i>Provided</i> | | <i>Compliance</i> | |
| | | <i>Parking Ratio</i> | <i>Parking</i> | | <i>Parking</i> | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Hotel | 7 Rooms | One space per guestroom | 7 | 0 | 68# | 0 | Y* |
| TOTAL | | | 7 | 0 | 68# | 0 | Y* |

**Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements.*

#There is no parking on-site. The applicant has proposed a valet parking area off-site that will accommodate 68 valet parking spaces.

ANALYSIS

- Zoning**

The subject property is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and has a C (Commercial) land use designation. The C (Commercial) designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial).

The parcel is zoned C-2 (General Commercial). The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

In addition to this Special Use Permit application, the applicant has requested a Site Development Plan Review (SDR-24794) for a single story Hotel with Waivers of Downtown Centennial Plan Streetscape and Build-To-Line Standards.

- **Downtown Centennial Plan - Las Vegas Boulevard District**

The Las Vegas Boulevard District creates the spine for most of the districts and is the primary tourist commercial and entertainment-directed link between The Strip, Downtown and its varied Districts. The District is generally defined to include the Las Vegas Boulevard right-of-way and all those properties adjacent thereto with frontage on both the west and east sides of the right-of-way.

- **Use**

The applicant proposes to replace the existing parking lot with a 13,100 square-foot Hotel with Hotel Lounge Bar consisting of seven one-story bungalows on the north portion of the property. The hotel will include a pool and amenity deck at the center of the property with the 3,000 square-foot portion designated for personal services such as a spa and fitness center at the south. The Hotel is a permitted use in C-2 (General Commercial) zone. Hotel Lounge Bars are permitted upon approval of a Special Use Permit.

A Hotel Lounge Bar is a bar located in a lounge area of a hotel which has a minimum of 150 rooms, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms, wherein:

1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service;
2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;
3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and
4. The maximum available customer seating in the lounge bar area does not exceed 75 seats.

- **Conditions**

Minimum Special Use Requirements:

1. No hotel lounge bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.

2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed hotel lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed hotel lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term “property line” refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of a proposed hotel lounge bar located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the hotel lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a hotel lounge bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Hotel Lounge Bar is compatible with adjacent development and will assist in achieving the intent of the Downtown Centennial Plan Las Vegas Boulevard District.

2. “The subject site is physically suitable for the type and intensity of land use proposed.”

The proposed Hotel Lounge Bar will depend on valet parking to support the use. This will be adequate to support the expected demand.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

Access to the site is provided from the alley off Ogden Avenue. Valet parking is provided off site with access and pickup through the alley off Ogden Avenue.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

The proposed Hotel Lounge Bar will be subject to inspections for compliance with business license requirements and will not compromise the public health, safety and general welfare.

5. The use meets all of the applicable conditions per Title 19.04.

The proposal of a seven room hotel does not meet the minimum requirement of 150 rooms as defined; however, the applicant assures that the Hotel Lounge Bar will meet all the conditions below:

1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service;
2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;
3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and
4. The maximum available customer seating in the lounge bar area does not exceed 75 seats.

In addition to the definition requirement, the application meets the Special Use Permit distance separation requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 169 by City Clerk

APPROVALS 1

PROTESTS 0